





However, the Examiner acknowledges that Amrany does not disclose the steps of “scheduling a time frame for performing said echo channel measurement procedure” and “discontinuing transmission of data by a first modem” as recited in claim 14. The Examiner cites Zuranski as disclosing scheduling and acknowledging echo measurements. Further, the Examiner cites Dagdeviren as disclosing “a central site (i.e., second) modem transmitting (i.e., initiating transmission of) an echo testing signal when a client (i.e., first) modem is quiescent (i.e., discontinuing transmission of data)” With respect to the rejection of claim 15, the Examiner cites Amrany as disclosing “adjusting transmit level, reference impedance and matching impedance (i.e., retraining) in response to echo measurements.” With respect to the rejection of claim 16, the Examiner cites Amrany as disclosing “adjusting transmit level, reference impedance and matching impedance (i.e., retraining) only in response to sudden feature change (i.e., resuming normal communication otherwise).” (Detailed Action, page 7.) The Examiner states that it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Amrany, Zuranski and Dagdeviren to achieve the inventions of claims 14-16.

Claims 14-16 depend from amended claim 11, and recite their own features along with all the features of their base claim and any intervening claims. The combination of Amrany, Zuranski and Dagdeviren does not disclose, or suggest, the features set forth in amended claim 11, as discussed above. Therefore, Applicant submits that claims 14-16 are patentable over the combination of Amrany, Zuranski and Dagdeviren for at least the same reasons as amended claim 11. Withdrawal and reconsideration of the rejection is requested.

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Amrany in view of U.S. Patent No. 5,265,151 to Goldstein. The Examiner contends that Amrany discloses most of the features of claim 18. However, the Examiner acknowledges that Amrany does not disclose the step of “obtaining line quality information further comprises obtaining an error rate” as recited in claim 18. The Examiner cites Goldstein as disclosing the use of error rate as a measure of line quality. The Examiner states that it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Amrany and Goldstein to achieve the invention of claim 18.



Claim 21 depends from amended claim 20, and recites its own features along with all the features of its base claim. The combination of Takatori, Amrany and Nimmagadda does not disclose, or suggest, the features set forth in amended claim 20, as discussed above. Therefore, Applicant submits that claim 21 is patentable over the combination of Takatori, Amrany and Nimmagadda for at least the same reasons as amended claim 20. Withdrawal and reconsideration of the rejection is requested.

Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Takatori in view of Goldstein and further in view of U.S. Patent No. 6,111,936 to Bremer. Claim 27 has been cancelled and, thus, the rejection is rendered moot.

Claims 28-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nimmagadda in view of Amrany. The Examiner contends that Nimmagadda discloses most of the features of claim 28. However, the Examiner acknowledges that Nimmagadda does not disclose determining the off-hook state by detecting operational changes in a digital subscriber line, as recited in claim 28. The Examiner cites Amrany as disclosing “determining hook state using changes in signal features (i.e., modem operation).” (Detailed Acton, page 10, item 35.) The Examiner states that it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Nimmagadda and Amrany to achieve the invention of claim 28.

Amended independent claim 28 now recites “determining the off-hook state by detecting operational changes in a digital subscriber line modem, including the step of detecting a current flowing through the line.” As discussed above, Amrany and, thus, the combination of Nimmagadda and Amrany neither discloses nor suggests determining the off-hook state by “detecting a current flowing through the line.” Therefore, the combination of Nimmagadda and Amrany does not result in the invention of amended claim 28.

The Examiner contends that the combination of Nimmagadda and Amrany also discloses or suggests the features of claims 29-32. Claims 29-32 depend from amended claim 28, and recite their own features along with all the features of their base claim and any intervening claims. The combination of Nimmagadda and Amrany does not disclose, or suggest, the features set forth in amended claim 28, as discussed above. Therefore, Applicant submits that claims 29-32 are

patentable over the combination of Nimmagadda and Amrany for at least the same reasons as amended claim 28. Withdrawal and reconsideration of the rejection is requested.

## CONCLUSION

Each and every point raised in the Office Action dated March 18, 2004 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-18 and 20-32 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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